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SEP 06 2016	
CLERK U.S. DISTRICT COURT DISTRICT OF ARIZONA	
BY <u>HA</u> DEPUTY	

Frederick Pugh JR. T224555
Name and Prisoner/Booking Number

Fourth Avenue Jail Cell # 2D2-13
Place of Confinement

201 S. 4th Avenue
Mailing Address

Phoenix, AZ 85003
City, State, Zip Code

(Failure to notify the Court of your change of address may result in dismissal of this action.)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Frederick Pugh JR.
(Full Name of Plaintiff) Plaintiff,

vs.

(1) Phoenix P.D Margarita Ibarra
(Full Name of Defendant)

(2) Phoenix P.D

(3) Phoenix P.D MANUEL ABeyta

(4) U.P.C. Psych ward Staff member

Defendant(s).

☐ Check if there are additional Defendants and attach page 1-A listing them.

CV-16-2979-PHX-DGC-ESW

CASE NO.

(To be supplied by the Clerk)

CIVIL RIGHTS COMPLAINT
BY A PRISONER

☒ Original Complaint

☐ First Amended Complaint

☐ Second Amended Complaint

A. JURISDICTION

1. This Court has jurisdiction over this action pursuant to:

☐ 28 U.S.C. § 1343(a); 42 U.S.C. § 1983

☐ 28 U.S.C. § 1331; Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971).

☐ Other: _____

2. Institution/city where violation occurred:

U.P.C Psychward on 2nd St. And Roosevelt
Phoenix AZ &
Coconut Grove Apartments 19 Ave Indian School
& Phoenix AZ 550/555
19 Ave And Clarendon Phoenix AZ

Toby C. Smith I need those Staffmembers Names that injected me on Nov. 21, 2016
 B. DEFENDANTS *check Paper Work/ Documents*

1. Name of first Defendant: Marvel Abeyta P.P.D #9375 The first Defendant is employed as:
Phoenix Police Department at Patrol officer
(Position and Title) (Institution)
2. Name of second Defendant: Margarita Ibarra The second Defendant is employed as:
Phoenix Police Department at Patrol officer
(Position and Title) (Institution)
3. Name of third Defendant: U.P.C Staff member The third Defendant is employed as:
U.P.C psych ward
(Position and Title) (Institution)
4. Name of fourth Defendant: U.P.C Staff member The fourth Defendant is employed as:
U.P.C psych ward
(Position and Title) (Institution)

If you name more than four Defendants, answer the questions listed above for each additional Defendant on a separate page.

C. PREVIOUS LAWSUITS

1. Have you filed any other lawsuits while you were a prisoner? ☐ Yes ☒ No
2. If yes, how many lawsuits have you filed? ____ Describe the previous lawsuits:
 - a. First prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____
 - b. Second prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____
 - c. Third prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____

If you filed more than three lawsuits, answer the questions listed above for each additional lawsuit on a separate page.

D. CAUSE OF ACTION

COUNT I

1. State the constitutional or other federal civil right that was violated: I was being ruffed up while in Hand Cuffs / my Head banged Against the Concrete And drugged Against my will then Arrested on Bogus charges.
2. Count I. Identify the issue involved. Check only one. State additional issues in separate counts.
- | | | | |
|--|--|---|---------------------------------------|
| <input type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input type="checkbox"/> Access to the court | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation |
| <input type="checkbox"/> Excessive force by an officer | <input checked="" type="checkbox"/> Threat to safety | <input checked="" type="checkbox"/> Other: <u>Drugged up then Arrested For Serious Charges / not at fault</u> | |

3. Supporting Facts. State as briefly as possible the FACTS supporting Count I. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

I doctor banged my legs Against A hard plastic bed while I was in hand Cuffs on my stomach in the psych ward He Scooted me down And lined the shin of my legs with the Hard part of the bed And lifted my legs bringing them down Hard on the edge of the Hard plastic bed. The other doctor forced injections into my buttox Against my will then released me without proper procedure. I was arrested on serious charges And I did not have any idea what was going on because I was drugged at the time I've been in jail Since Nov. 21, 2016 And they will not let me out and I did not hurt anybody my case should have been dismissed long ago. Officer Manuel Abeyta is the one who took me to psych Along with Margarita Ibarra From the Phoenix PD as well. They Also arrested me after I was drugged and released from psych. They knew I was under medication And they trump my charges And now my probation is in Jeopardy and my Freedom And I did not hurt anybody they drugged me then Arrested me I did not know what was going on.

4. Injury. State how you were injured by the actions or inactions of the Defendant(s).

my Head And Face was badly bruised as well as my Arms wrists and I cant bend my thumb And plundered Away from my Family.

5. Administrative Remedies:

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☐ Yes ☒ No
- b. Did you submit a request for administrative relief on Count I? ☐ Yes ☒ No
- c. Did you appeal your request for relief on Count I to the highest level? ☐ Yes ☒ No
- d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not.

Know how to to that

COUNT II

1. State the constitutional or other federal civil right that was violated: Drugged and brought up on Serious charges while after being drugged against my will And Ruffed up by unnecessary force.
2. Count II. Identify the issue involved. Check only one. State additional issues in separate counts.
- | | | | |
|---|---|---|---------------------------------------|
| <input type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input type="checkbox"/> Access to the court | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation |
| <input checked="" type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input checked="" type="checkbox"/> Other: <u>wrongful Arrest</u> | |

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Count II. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

officer Manuel Abeyta #9375 banged my head against the concrete while I was in Handcuffs he also damaged my wrist my arms and I cant bend my thumb I think He broke it.

After I was taken to psych they drugged me up while I was in restraints giving me injections. Not only Lord Knows what. Then I fell asleep immediately. Then without seeing a doctor for proper observation they woke me up out of my sleep and told me I was free to go. I went to my Landscaping job trimming hedges going door to door. And while going door to door A lady and A man said I tried to attack them with my hedge trimmers And I do not recall that because I was under the influence of the drugs that were forced into my system against my will. I'm being held on Serious charges And missing my loved ones. The Same officers that took me to M.P.C psych Are the Same ones that arrested me, Knowing I was violated and drugged because officer Abeyta held me still and told me not to look

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

I was Violated And Victimized I Suffer from A Broken thumb a fractured arm Bruised Rised and mental and emotional Stress And being threatened with A lot of years in prison I Cant sleep because Im hurting and worried Sick over their foul Actions. I feel its A Conspiracy. And im the victim.

5. **Administrative Remedies.**

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☐ Yes ☒ No
- b. Did you submit a request for administrative relief on Count II? ☐ Yes ☒ No
- c. Did you appeal your request for relief on Count II to the highest level? ☐ Yes ☒ No
- d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. Did not Know how I need Help Please

COUNT III

1. State the constitutional or other federal civil right that was violated: NOT Treated fair
I was Violated Assaulted And mistreated And Sailed
After Being Forced to take Forced Medication At Psych ward.
2. Count III. Identify the issue involved. Check only one. State additional issues in separate counts.

- ☐ Basic necessities ☐ Mail ☐ Access to the court ☐ Medical care
☐ Disciplinary proceedings ☐ Property ☐ Exercise of religion ☒ Retaliation
☒ Excessive force by an officer ☐ Threat to safety ☐ Other: Wrongful Arrested

3. Supporting Facts. State as briefly as possible the FACTS supporting Count III. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

On Nov 21, 2016 officer Manuel Abeyta & officer Margarita Ibarra
picked me up and took me to the psych ward because I wouldn't
calm down from An argument with my girlfriend. I was put in Cuffs
and badly mistreated ETC while at the psych ward I was drugged
And also mistreated. I was petitioned 2 week before this incident
and spent 2 weeks in desert vista I was originally took to U.P.C
but they transported me to desert vista. I had to go to court and two
staff members from U.P.C showed up to testify Against me. They said I was
grabbing on Females while at U.P.C. But the Judge questione them separte
and found out they were lying And dismissed my case. So when
I ended back up at U.P.C due to A Conspiracy with the Phoenix P.D
thats when they drugged me Against my will And beat my legs and did
not let me speak with a doctor, they just dosed me with drugs and
All this happened on Nov. 21, 2016 in the presents of officer MANUEL Abeyta
then they released me while I was drugged Half to death then they Arrested
me on Serious charges, knowing I was not stable at the time. All this
Occured on Nov 21, 2016. I Need Help its A Conspiracy I want to go Home.

4. Injury. State how you were injured by the actions or inactions of the Defendant(s).
officer Ibarra And Abeyta trump my charges on purpose knowing I was on Probation
And they knew I had just been drugged I suffer from Mental & Physical
stress And my emotions Are very sad Im worried Half to death I cant bend my
thumbs and something is wrong with my Arm. I have chronic Anxiety And mentally
Stressed Ive been Violated And Victimized

5. Administrative Remedies. Stressed Ive been Violated And Victimized
- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☐ Yes ☒ No
- b. Did you submit a request for administrative relief on Count III? ☐ Yes ☒ No
- c. Did you appeal your request for relief on Count III to the highest level? ☐ Yes ☒ No
- d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. Because I dont understand And I need Help I have
very little education but I know when Ive been mistreated

They want me to sign for 6 1/2 years in prison And Im the Victim. I did not
Hurt Anybody
And they drugged
me just before
my Arrest
HELP.

E. REQUEST FOR RELIEF

State the relief you are seeking:

I want \$1,000 dollars for every month I've been in Jail
 And I want \$20,000 for my pain and suffering And
 I want my case dismissed. And I want the State of
 Arizona to pay for all legal cost out of their pocket
 And I would like A formal Apology from officer Manuel ABeyta
 and officer Margarita Ibarra I would also like to press charges
 on the specific Doctors Assistant staff member who band my legs
 against the Surface of the bed. And I want an additional Pay of \$5,000
 From Him for my occurring Night mares He's caused me to HAVE.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 8-1-16
 DATE

Frederick Pugh Jr.
 SIGNATURE OF PLAINTIFF

THOMAS
 (Name and title of paralegal, legal assistant, or
 other person who helped prepare this complaint)

 (Signature of attorney, if any)

(Attorney's address & telephone number)

ADDITIONAL PAGES

All questions must be answered concisely in the proper space on the form. If you need more space, you may attach no more than fifteen additional pages. But the form must be completely filled in to the extent applicable. If you attach additional pages, be sure to identify which section of the complaint is being continued and number all pages.

MARICOPA COUNTY SHERIFF'S OFFICE
JOSEPH M. ARPAIO SHERIFF

CERTIFICATION

I hereby certify that on this date 01 September 2016,

I mailed the original and one (1) copy to the Clerk of the United States District Court, District of Arizona.

I further certify that copies of the original have been forwarded to:

____ Hon _____ United States District Court, District of Arizona.

____ Hon _____ United States District Court, District of Arizona.

____ Attorney General, State of Arizona.

____ Judge, _____, Superior Court, Maricopa County, State of Arizona.

____ County Attorney _____, Maricopa County, State of Arizona,

____ Public Defender _____, Maricopa County, State of Arizona.

____ Attorney _____



INMATE LEGAL SERVICES
Maricopa County Sheriff's Office
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Phoenix, AZ 85009